

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING IN PART PUERTO RICO SALES TAX
FINANCING CORPORATION'S THIRTEENTH OMNIBUS
OBJECTION (NON-SUBSTANTIVE) TO DUPLICATE BOND CLAIMS

Upon the *Thirteenth Omnibus Objection (Non-Substantive) to Duplicate Bond Claims* (Docket Entry No. 4417 in Case No. 17-3283, the "Thirteenth Omnibus Objection")² filed by the Puerto Rico Sales Tax Financing Corporation ("COFINA"), dated December 4, 2018, for entry of an order disallowing in their entirety certain claims filed against COFINA, as more fully set forth in the Thirteenth Omnibus Objection; and the supporting exhibits thereto; and the Court

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA" and together with the Commonwealth, COFINA, HTA, and ERS, the "Debtors") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Thirteenth Omnibus Objection.

having jurisdiction to consider the Thirteenth Omnibus Objection and to grant the relief requested therein pursuant to Section 306(a) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”);³ and venue being proper pursuant to Section 307(a) of PROMESA; and due and proper notice of the Thirteenth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and each of the claims identified in Exhibit A to the Thirteenth Omnibus Objection⁴ being duplicative of a Master Proof of Claim; and, upon the record of the hearing held on the Thirteenth Omnibus Objection on March 13, 2019,⁵ and the rulings made therein, the Court having determined that the *Joinder of the GMS Group, LLC to Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701* (Docket Entry No. 4587 in Case No. 17-3283, the “GMS Joinder”) and the *Joinder by and Supplement of the GMS Group, LLC to Objection of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701* (Docket Entry No. 4605 in Case No. 17-3283, the “GMS

³ PROMESA is codified at 48 U.S.C. §§ 2101-2241.

⁴ Exhibit A to the Thirteenth Omnibus Objection was amended pursuant to the *Notice of Submission of Amended Exhibits to Sixth, Seventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, and Seventeenth Omnibus Claim Objections*. (See Docket Entry No. 5970-8 in Case No. 17-3283.)

⁵ The *Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701* (Docket Entry No. 4585 in Case No. 17-3283) shall be heard at the April Omnibus Hearing scheduled for April 24, 2019.

Supplement”), should be stricken; and the Court having determined that the relief sought in the Thirteenth Omnibus Objection is in the best interest of COFINA, its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Thirteenth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Thirteenth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the GMS Joinder and the GMS Supplement are hereby stricken as they purported to join a response to the Thirteenth Omnibus Objection; and it is further

ORDERED that the claims listed on Exhibit A to the Thirteenth Omnibus Objection are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk is authorized and directed to delete the claims listed on Exhibit A to the Thirteenth Omnibus Objection from the official claims register in COFINA’s Title III Case; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: April 2, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge